

ORDER GRANTING REQUEST FOR LEAVE TO AMEND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHANNON LEE STARR,

Plaintiff,

v.

ALAMEDA COUNTY JAIL,

Defendant.

No. C 12-4400 RMW (PR)

ORDER GRANTING
REQUEST FOR LEAVE TO
AMEND

On February 22, 2013, plaintiff, a California state prisoner, proceeding pro se, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983. The court has not yet screened plaintiff's amended complaint. On April 15, 2013, plaintiff filed a letter, stating that he omitted information from his amended complaint and also learned then name of a Doe defendant. The court construes plaintiff's letter as a request to file a second amended complaint. So construed, the request is GRANTED. Plaintiff shall file a second amended complaint within thirty days from the filing date of this order. **Failure to file a second amended complaint within thirty days and in accordance with this order will result in plaintiff's amended complaint, filed February 22, 2013, being the operative complaint.**

Plaintiff is advised that an amended complaint supersedes the original complaint. "[A] plaintiff waives all causes of action alleged in the original complaint which are not alleged in the amended complaint." London v. Coopers & Lybrand, 644 F.2d 811, 814 (9th Cir. 1981).

1 Defendants not named in an amended complaint are no longer defendants. See Ferdik v.
2 Bonzelet, 963 F.2d 1258, 1262 (9th Cir. 1992).

3 It is the plaintiff's responsibility to prosecute this case. Plaintiff must keep the court
4 informed of any change of address by filing a separate paper with the clerk headed "Notice of
5 Change of Address," and must comply with the court's orders in a timely fashion. Failure to do
6 so may result in the dismissal of this action for failure to prosecute pursuant to Federal Rule of
7 Civil Procedure 41(b).

8 IT IS SO ORDERED.

9 DATED: 15TH


RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SHANNON LEE STARR,
Plaintiff,

Case Number: CV12-04400 RMW

CERTIFICATE OF SERVICE

v.

ALAMEDA COUNTY JAIL et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 13, 2013, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Shannon Lee Starr ALJ-123/2-F-8
Alameda County Santa Rita Jail
5325 Broder Boulevard
Dublin, CA 94568

Dated: May 13, 2013

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk